Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 09/19/2005	Bureau/Station/Facility: FOR II / CENTURY STATION	Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 005-16330-2138-051	Date: 09/17/2005 — Time: 1400
City or Station: CENTURY STATION	Nature of Incident: DEPUTIES GARCIA AND MALDONADO CONFRONTED AN ARMED SUSPECT WHO POINTED THE GUN AT THEM. THE DEPUTIES FEARING FOR THEIR SAFETY, FIRED AT THE SUSPECT. THE SUSPECT FLED ON FOOT AND AS HE ATTEMPTED TO SCALE A CHAIN LINK FENCE HE DROPPED THE GUN. THE SUSPECT PICKED UP THE GUN ONCE AGAIN AND POINTED AT THE DEPUTIES. DEPUTY GARCIA FIRED AT THE SUSPECT A SECOND TIME. THE SUSPECT WAS LOCATED HIDING IN A REAR YARD. HE HAD SUSTAINED A GUNSHOT WOUND TO HIS RIGHT KNEE.
Location: [redacted] EAST 124th STREET, LOS ANGELES (UNINCORPORATED AREA)	

Location Type (circle one or more): Backyard (circled), Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence (circled), Rural, School, Street (circled), Other: ______

Lighting (circle only one): Darkness, Daylight (circled), Other, Street Lights

Weather (circle only one): Clear (circled), Cloudy, Fog, Rain

Distance:

Incident Type (circle one or more): Accidental, Armed Person (circled), Fleeing Suspect (circled), Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: ______

Initiated by (circle only one): Arrest Warrant, Call, Observation (circled), One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (circle only one): Detective, Inmate Transport, Other, Routine Patrol (circled)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
13	NONE	☒	☒

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (circle only one):	ShiftType (circle only one):
	NONE			EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	NONE LISTED	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	NONE LISTED	
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]	NONE LISTED	

Supervisors

Employee #	Last Name	First Name	M.I	(circle one or more):
[redacted]	HILES	RICHARD	G.	On Duty (circled), Present during shooting, Witness to shooting, Involved in shooting
				On Duty, Present during shooting, Witness to shooting, Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
	N/A		

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	RAMPONE	NICKOLAS	

PSTD Use Only

SH # 2155180

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
09/17/2005	1430		

Employee #	Last Name	First Name	M.I
[redacted]	BAIRD	MARSHALL	W.
[redacted]	SMITH	RICK	G.
[redacted]	JENSEN	CURTIS	A.

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S1	E1	FH	CO	45			NN	
S1	E2	FH	CO	45			NN	
E1	S1	FH	BR	9	Y	Y	GS	KN
E2	S1	FH	BR	9	Y	Y	GS	KN

See Front Side

Officer Involved Shooting
Involved Employee Information



URN: 005-16330-2138-055

Involved Employee

E 1

Employee # [redacted]	Last Name GARCIA	First Name NOE	M.I.
Sex: M Race: H	Rank DEPUTY SHERIFF	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 213B
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; (Uniform w/ Vest)	Other Factors:
Age: 34 Height: 510	Weight: 185		
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 3
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name	First Name	M.I.

E 2

Employee # [redacted]	Last Name MALDONADO	First Name FRANCISCO	M.I.
Sex: M Race: H	Rank DEPUTY SHERIFF	Unit Assignment: CENTURY STATION	Work Assignment (Unit #, Module, etc.): 213B
ShiftTime (*circle only one*): EM PM (Day)	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 6-8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; (Uniform w/ Vest)	Other Factors:
Age: 34 Height: 510	Weight: 200		
Range Qualification Date: [redacted]		PPC Qualification Date: [redacted]	Laser Training Date: [redacted]
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E ___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:		PPC Qualification Date:	Laser Training Date:
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 005-16330-2138-055

Suspect Information

S 1

Last Name TASSIN	First Name HAROLD	M.I. J.
AKA Last Name	First Name	M.I.

Sex: M Race: BLACK	Street Address: [redacted]	City [redacted]	State & Zip Code: CA 90262 [redacted]
Work Phone: NONE LISTED	Home Phone: NONE	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 24 D.O.B. 08/26/1981	Height: 511 Weight: 155	FBI # [redacted]	CII # [redacted]
Booking # 8742721	Primary Charge: 664/187(a) P.C.	Secondary Charge: 245(d)(2) P.C.	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? ☒
Vehicle Make NONE		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

See Other Side

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]		[redacted]	[redacted]	NONE LISTED	

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED HIT SHOOTING
IAB FILE NUMBER SH2155180
URN 005-16330-2138-051

On September 17, 2005, Sergeants Marshall Baird and Richard Smith along with Lieutenant Curtis Jensen of Internal Affairs Bureau responded to [redacted] East 124th Street, Los Angeles (unincorporated county area), regarding a Deputy Involved Hit Shooting involving personnel from Century Station. Homicide Lieutenant Daniel Rosenberg, along with Investigators Randy Seymour, Kathleen Gallagher, Paul Fournier, Richard Tomlin, Steve Katz and Linda Muse were on scene to conduct the criminal investigation. Michael Gennaco from the Office of Independent Review also responded.

On September 17, 2005, at approximately 1400 hours, Century Deputies Noe Garcia and Francisco Maldonado were traveling northbound on Mona Avenue at 124th Street. Deputy Garcia was the driver and Deputy Maldonado was the passenger. As they stopped at the stop sign at 124th Street, both deputies heard approximately eight to ten gunshots nearby and turned westbound on East 124th Street in order to investigate the source. Deputy Maldonado immediately broadcasted via Sheriff's radio what they had heard and requested additional units.

The deputies immediately observed a male Black, later identified as Harold Tassin, holding a blue steel pistol in his right hand and running at full speed on the sidewalk in their direction. Unbeknownst to the deputies, Suspect Tassin was fleeing from a crime scene on East 124th Street, after shooting a rival gang member several times.

Deputy Garcia stopped his patrol vehicle in front of [redacted]. The deputies got out of their vehicle, drew their service pistols and took cover behind the driver's and passenger's side doors, respectively. At the same time Tassin crouched behind several trash cans along the curb at [redacted] East 124th Street.

Suddenly, Tassin "popped up" from the trash cans and pointed his weapon directly at the deputies. Fearing for their own lives, Garcia and Maldonado fired multiple rounds at Tassin, who began running south along the driveway. Tassin continued pointing his weapon at the deputies before he jumped over a chain link fence. After traversing the fence, Tassin dropped his weapon onto the driveway, picked it up, and again pointed it in the direction of the deputies. Deputy Garcia fired additional rounds at Tassin before he disappeared from their view in the backyard of the location.

Suspect Tassin was found by a Sheriff's K9 hiding in the backyard. When Tassin was arrested, deputies discovered he had sustained a single gunshot wound to his right knee and was treated by paramedics at the scene.

A sent dog located Tassin's weapon, a Colt .45 caliber semiautomatic pistol nearby, where he had thrown it while fleeing.

The summary of this incident is based on physical evidence collected at the scene by Los Angeles County Sheriff's Department Scientific Services Bureau personnel. Additionally, it is based upon information obtained from interviews of the involved employees and witnesses, whose individual statements are contained in the Homicide Bureau investigative package and verbatim transcripts. (***Refer to Exhibit A***)

On August 8, 2006, the Los Angeles County District Attorney's Office Justice Integrity Division completed its review of this deputy involved shooting and concluded the following: "Given the appearance of a rapidly evolving, potentially life-threatening situation that confronted Deputies Garcia and Maldonado, we conclude both deputies acted lawfully in self-defense and the defense of others." (***Refer to Exhibit B***)

INVOLVED PERSONNEL

GARCIA, Noe, Deputy # [redacted]
Field Operations Region II
Century Station

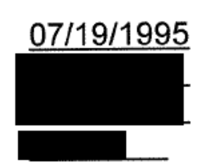
MALDONADO, Francisco, Deputy # [redacted]
Field Operations Region II
Century Station

Work History

GARCIA, Noe

Date of Employment	07/30/1990
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	
Prior Shooting Incidents	3

MALDONADO, Francisco

Date of Employment	07/19/1995
Date Assigned to Patrol	 [redacted]
Date Completed Patrol Training	
Prior Shooting Incidents	

SUSPECT

TASSIN, Harold Joseph, MB/24. Booking #8742721
[redacted]

P/N (310) 637-8545

Suspect Tassin's Consolidated Criminal History Report (CCHRS) [redacted]

(For further information, refer to Exhibit C)

WITNESSES

Sworn

None.

Civilian

[redacted] MB/75, DOB: [redacted]
[redacted]
(No phone listed in Homicide Report)

[redacted] MB/50, DOB: [redacted]
[redacted]
(No phone listed by Homicide Report)

[redacted] FB/55, DOB: [redacted]
[redacted]
(No phone listed in Homicide Report)

[redacted] FB/23, DOB: [redacted]
[redacted]
(No phone listed in Homicide Report)

INJURIES

Suspect
Suspect Tassin sustained a single gunshot wound to his right knee. He was treated at St. Francis Medical Center by Doctors Hirschner and Peterson.

Deputies

No deputies sustained any injuries.

PHYSICAL EVIDENCE

As referenced in the Scientific Services Bureau evidence report and crime scene diagram:

Item 13	One Colt semi-automatic, Model Government 1911 U.S. Army with serial number [redacted] The pistols slide was locked back, and an empty magazine was inserted in the magazine well. The pistol was recovered from the rear yard of [redacted]
Item 14-20	Seven fired 9mm Luger caliber cartridge cases from the driveway in front of [redacted].
Item 21 & 22	Two fired 9mm Luger caliber cartridge cases from the driver's floorboard of the Ford Police Interceptor patrol vehicle marked SD3101.
Item 23	One fired 9mm Luger caliber cartridge case from the front passenger's floorboard underneath the seat of the patrol vehicle marked SD3101.
Item 24-26	Three fired 9mm Luger cartridge cases from the street in front of [redacted] East 124th Street.
Item 28	One fired bullet fragment from the driveway behind the residence at [redacted] East 124th Street.
Item 31	One fired bullet from the northwest bedroom floor of the residence at [redacted] East 124th Street.
Item 32	Not related to this incident, refer to Exhibit A, page 75.
Item 33	One fired bullet fragment on the top of the front passenger's seat of the Camaro.
Item 34	One fired bullet fragment from the left interior wheel well of the Camaro.
Item MM-1	One Beretta 9mm Luger caliber, model 92FS semi-automatic pistol with serial number E51413Z. The pistol was submitted with two magazines and twenty one 9mm Luger caliber cartridges.
Item MM-2	One Beretta 9mm Luger, model 92FS semi-automatic pistol with serial number BER100077Z. The pistol was submitted with two magazines and twenty eight 9mm caliber cartridges.

For further information, refer to Exhibit A, pages 75 and 76.

INVESTIGATOR OBSERVATIONS

The area in which both incidents occurred (deputy involved shooting and assault with a deadly weapon) is primarily single family residences. A number of the homes have very deep lots. 124th Street in this area is an east/west roadway comprised of a single lane of traffic in each direction. In addition, there were parking lanes on both the north and

south curb lines.

The location of the deputy involved shooting, [redacted] East 124th Street, is a single family residence situated on the south side of the street. The lot is very deep and consists of the front house ([redacted] East 124th Street), an unattached garage, and a rear residence ([redacted]). On the east side of the residence is a concrete driveway that runs north and south. Approximately fifty-two-feet south of the sidewalk along the concrete driveway there is a [redacted] which is hinged at the outer edges. This fence runs east and west along the driveway.

The focal point of the crime scene was the street in front of the aforementioned residence, the driveway and the area south of the house. Investigators noticed a Sheriff's Department patrol vehicle (SD3101), parked in the eastbound lane of 124th street facing in a westerly direction and slightly to the southwest. This vehicle was assigned to Unit #213B days, Deputies Garcia and Maldonado. Investigators also noted that were two trash cans on the street in front of the location. The two trash cans were positioned along the south curb line of 124th Street at the west apron of the driveway . (***Refer to crime scene diagram, Exhibit D***)

The original assault with a deadly weapon incident involving Suspect Tassin and Victim [redacted] occurred at [redacted]. This residence is [redacted] houses [redacted] of the where the deputy involved shooting occurred.

All measurements taken by the crime lab personnel originated from [redacted].

For further information, refer to Exhibit A, pages 31 through 47.

WEAPONS USED BY DEPUTY PERSONNEL

GARCIA, Deputy

Department authorized Beretta 9mm, Model 92FS, semi-automatic pistol, serial number ES1413Z, fired nine rounds of Department authorized 9mm ammunition.

MALDONADO, Deputy

Department authorized Beretta 9mm, Model 92FS, semi-automatic pistol, serial number BER1000772, with laser sights, fired four rounds of Department authorized 9mm ammunition.

WEAPONS USED BY SUSPECT

Model: Colt, Model 1911 U.S. Army/Government semi-automatic pistol

Serial Number: [redacted]
Caliber: .45
Finish: Parkerized - Black/Blue Steel

PROPERTY DAMAGE

Item A: One bullet impact/graze on the east wall of the residence at [redacted] East 124th Street.

Item B: One bullet impact on the east wall of the residence at [redacted] East 124th Street.

Item C: One bullet hole in the front tire of a Chevrolet Camaro (CA License #[redacted]).

Item D: One bullet hole and one bullet impact on the left side windshield of the Chevrolet Camaro.

Item E: One bullet hole in a tool shed located along the north wall of [redacted]. The bullet perforated the shed's exterior door and interior wall, and then traveled through the exterior wall of the residence and entered the west wall of the northeast bedroom.

Item F: One bullet hole in the north wall of the residence at [redacted].

Item G: One bullet hole in the east wall window of the residence of [redacted]. The bullet perforated the wall and traveled through the glass [redacted] of the northeast bedroom, and then entered the south closet wall.

Item H: One bullet impact on the windshield of the Chevrolet Camaro.

For further information, refer to Scientific Services Bureau document, Exhibit A, page 74 and crime scene diagram, Exhibit A, page 82.

CRIMINAL INVESTIGATOR/CHARGES FILED

Investigator: Detective Kathleen Gallagher, Homicide Bureau
Court: Compton - Case Number TA081194
Charges: Count 1 - P.C. 664/187(a)
Count 2 - P.C. 245 (d)(2)
Count 3 - P.C. 245 (d)(2)
Court Date: November 14, 2006

LIGHTING AND WEATHER CONDITIONS

The incident occurred during daylight hours. The weather was warm and clear with a slight breeze.

INVOLVED EMPLOYEE STATEMENTS

GARCIA, Noe
Deputy Noe Garcia was interviewed on September 17, 2005, at approximately 1812 hours by Homicide Investigators Seymour and Gallagher at Century Station. Also present in the interview was Deputy Garcia's attorney, Helen Schwab from the Law Offices of Green and Shinee. The interview was tape recorded. Deputy Garcia was also interviewed on October 24, 2006, at approximately 1132 hours by Sergeants Marshall Baird and Richard Smith of Internal Affairs Bureau. Present during this interview was Garcia's attorney, Helen Schwab. This interview was also tape recorded. The following is a summary of both interviews:

On the day of the incident, Deputy Garcia began his shift at approximately [redacted] hours. He was partnered with Deputy Francisco Maldonado. They were designated unit "213B." Deputy Garcia was wearing a Class "A" uniform with a Sam Brown belt, ballistic vest and black boots. He also carries a back up weapon; however, he did not utilize it in this incident.

Deputy Garcia said he was driving northbound on Mona Blvd and as he stopped at the stop sign at 124th Street, he heard approximately eight to ten gunshots. He said the gunshots seemed to originate from mid block on 124th between Mona and Willowbrook, west of where they were at. Garcia and his partner both acknowledged to each other that they had heard gunshots.

Deputy Garcia said Maldonado then got on the radio and broadcast what they had heard. He said Maldonado advised other Century units that they had 923's in the area, and they were going check it out.

> ***IAB NOTE:*** ***The initial request or emergency broadcast via Sheriff's radio regarding the '923's" occurred at 1400 hours. Within fifteen seconds after the initial broadcast, the deputies broadcast the "998." For further information refer to CD audio tape (Time stamped at 7:00 minutes), Exhibit E.***

Deputy Garcia said he then turned westbound on 124th from Mona in the direction of where they heard the gunshots coming from. As they were driving westbound, both of them acknowledged seeing a male Black running eastbound in their direction on the south curb line. He said the suspect was holding a dark-colored handgun in his right hand. Garcia said the suspect was looking backwards over his shoulder westbound, and he was running at full-speed in their direction.

Deputy Garcia said at that point, he pulled their radio car toward the south curb. As they came to a stop, Garcia said the suspect appeared to make eye contact with them. He said the suspect then immediately ran toward two trash cans which were in front of

[redacted] 124th Street and hid behind them momentarily. Garcia said as they both exited the radio car, the suspect emerged from behind the trash cans and pointed his handgun in their direction.

Deputy Garcia said fearing for his safety and the safety of his partner, he fired four to six rounds from his handgun at the suspect from behind his driver's door. Garcia said at the time, he thought Tassin may have fired at him and his partner. He also said he heard his partner fire his weapon.

Deputy Garcia said the suspect continued running south in the driveway to a chain link fence and jumped over it. He said as the suspect hit the ground on the other side of the fence, he dropped a "walkman" and his handgun onto the driveway. Garcia said he remembered hearing the suspect's gun hit the concrete. He said the suspect then picked the handgun with his left hand and continued to run south in the driveway. As the suspect is running, Garcia said he (suspect) looked back at them again to see where they were. He said the suspect then brought his left hand up and pointed his gun at them again. Garcia said in order to "stop the threat," he shot "one more volley [of rounds]" at the suspect. The suspect then continued to run in southwesterly direction between two houses on the property and out of view.

Deputy Garcia said he and his partner then took cover along a solid wood fence on the adjacent property east of the location pending the arrival of assisting Century personnel. He said during this time, his partner Deputy Maldonado was broadcasting information regarding the suspect.

Deputy Garcia that he was able to identify Suspect Tassin in a field show-up after he was apprehended. He said detectives also confirmed with him that Tassin had been involved in a shooting at [redacted] just prior to their contact.

For further information refer to Garcia's Homicide and IAB verbatim transcripts.

MALDONADO, Francisco
Deputy Francisco Maldonado was interviewed on September 17, 2005, at approximately 1900 hours by Homicide Investigators Seymour and Gallagher at Century Station. Also present in the interview was Deputy Maldonado's attorney, Helen Schwab from the Law Offices of Green and Shinee. The interview was tape recorded. Deputy Maldonado was also interviewed on October 24, 2006, at approximately 1200 hours by Sergeants Marshall Baird and Richard Smith of Internal Affairs Bureau. Present during this interview was Maldonado's attorney, Helen Schwab. This interview was also tape recorded. The following is a summary of both interviews:

On the day of the incident, Deputy Maldonado began his shift at approximately [redacted] hours. He was partnered with Deputy Noe Garcia. They were designated Century unit "213B." Deputy Maldonado was wearing a Class "A" uniform with a Sam Brown belt, ballistic vest and black boots.

Deputy Maldonado said that at approximately 1400 hours, he and his partner Deputy Garcia were traveling northbound on Mona at 124th Street, when he heard "eight to ten gunshots." He said the shots originated from the west of them, about mid block on 124th street. Maldonado said he "immediately got on the radio over SCC access channel" and advised Century units to switch over to L-tac regarding the gunshots on 124th. He also said he requested an air ship.

Deputy Maldonado said as they turned westbound on 124th to look for the source of the gunshots, he saw a male black with a black semi-auto handgun in his right hand running eastbound on the south sidewalk in their direction. He said the suspect was wearing a white t-shirt and blue jeans. As the suspect closed the distance to about twenty-five yards, the suspect turned and looked back in the direction of where he was coming from. Maldonado said when the suspect turned back around, he appeared to make eye contact with them. He said the suspect then "ducked slightly" behind two trash cans in front of [redacted] East 124th Street.

Deputy Maldonado said Deputy Garcia immediately stopped their vehicle at an angle westbound on 124th Street just east of [redacted] East 124th Street. Deputy Maldonado exited the passenger side of his car and immediately took up a position in front of the passenger door of his car, adjacent to the engine compartment with his handgun pointed at the suspect. He said the suspect then stood up and began running in a southwesterly direction. Simultaneous with this, the suspect turned his upper torso to the left, raised his right hand across his body, and pointed a blue steel semi-automatic handgun in his direction. Maldonado said fearing for his life and the life of his partner, he shot a about "two to four" rounds at the suspect.

Deputy Maldonado said as the suspect continued running south in the driveway toward a chain link fence he decided, based upon his [redacted] to move away from his vehicle believing the next time the suspect looked back at them he was going to be looking at their patrol car. As Maldonado began moving away from the radio car to "more appropriate cover or concealment," the suspect jumped over the chain link fence and that's when he heard a metal-hitting-concrete sound. Maldonado said he temporarily lost sight of the suspect as he (Maldonado) made the transition to the adjacent property. When he regained sight of the suspect, the suspect was still running but was now looking back with the gun pointing backwards in his left hand. He said at first glance he believed he would be forced to fire his weapon again, but recognized the suspect was no longer a threat when the suspect lowered his weapon, turned his whole body forward, and ran westbound and out-of -view.

Deputy Maldonado said as he was "running for new cover and concealment away from his radio car," he was broadcasting information to responding units. He said he and his partner remained at this position until relieved by assisting units.

For further information refer to Maldonado's Homicide and IAB verbatim

transcripts.

WITNESSES STATEMENTS

[redacted] was interviewed on September 17, 2005, at approximately 2020 hours by Homicide Investigators Richard Tomlin and Paul Fornier. The interview was tape recorded. The following is a summary of that interview:

[redacted] who lives at the original shooting location [redacted], said he was standing next to his van which was parked in the driveway. Also outside of the residence was Victim [redacted] and Witness [redacted] [redacted] said he was leaning into his van when he heard gunshots coming from the west. When he looked up, he saw Suspect Tassin standing in the street next to their fence firing a handgun at Victim [redacted]

[redacted] said after the shooting the suspect fled on foot east, on the south side of 124th Street. He said shortly thereafter, he saw the Sheriff's patrol car approaching from the west. [redacted] said the deputies and the suspect then began shooting at each other.

[redacted] was interviewed on September 17, 2005, at approximately 1915 hours by Homicide Investigator Paul Fornier. The interview was tape recorded. The following is a summary of that interview:

[redacted] residence is located on the [redacted] side of 124th street, [redacted] house [redacted] of where the deputy involved shooting occurred. [redacted] said he was in his house when he heard four to five gunshots west of his house. When he looked out his front door, he saw a Black male in his late teens to early twenties running past his house with a black handgun in his right hand. [redacted] said the suspect was wearing a white t-shirt and dark colored pants (Suspect Tassin).

[redacted] said he then saw the suspect turn back as he ran, point his handgun in a westerly direction and fire several rounds. He said the suspect continued running east. A few seconds later, [redacted] heard a second volley of gunfire. He did not see who fired those shots. He then stepped outside of his house onto the front porch and saw two deputies standing in the mouth of the driveway at [redacted] East 124th Street pointing their weapons to the south.

[redacted] was interviewed on September 17, 2005, at approximately 2005 hours by Homicide Investigators. The interview was tape recorded. The following is a summary of that interview:

[redacted] said she and Witness [redacted] were standing outside of [redacted] house when

she heard gunshots behind her. She turned and a saw a man (Suspect Tassin) holding a black gun outside of the fence near the house. [redacted] described the male as dark complected African-American, nineteen to twenty-five-years-old, wearing a white t-shirt and jeans.

[redacted] said the suspect pushed a set of headphones off of his ears and then continued firing toward the house. She said she heard at least five shots total. [redacted] said the suspect then fled east on 124th Street. She said when the suspect was approximately [redacted] houses east of her location, she saw a Sheriff's patrol car in the distance facing west. She then heard more gunshots and saw the suspect ducking down. [redacted] did not see either the deputies or suspect fire their weapons.

[redacted] was interviewed on September 17, 2005, at approximately 1915 hours by Homicide Investigator Tomlin and Deputy District Attorney Investigator Pete Purmalis. The interview was tape recorded. The following is a summary of that interview:

[redacted] said she was visiting her grandmother who lives at [redacted] East 124th Street, when she heard five to ten "faint" gunshots. She said she couldn't tell where the gunshots originated from. About ten seconds later, she heard fifteen to twenty more gunshots. She said she could hear bullets hitting something, but didn't know what or where they hit.

[redacted] said when she looked out of the window, she saw five deputies with their guns drawn on the west side of the front yard east of her. [redacted] said she never saw anyone fire a gun.

SUSPECT STATEMENTS

TASSIN, Harold
On September 17, 2005, at approximately 2130 hours, Homicide Sergeant Randy Seymour attempted to interview Suspect Tassin at Martin Luther King Drew Medical Center. Since Suspect Tassin was appeared to be in pain and under the influence of some type of medication, he was not interviewed.

MISCELLANEOUS SECTION

None.